

September 27, 2018

Via ECF & Electronic Mail

Hon. Katherine Polk Failla, U.S.D.J.
United States District Court, S.D.N.Y.
40 Foley Square, Room 2103
New York, New York 10007
E: Failla_NYSDChambers@nysd.uscourts.gov

***Re: Orue et al. v. Artisanal Fromagerie & Bistro LLC, et al.
Civil Action No.: 15 Civ. 5727 (KPF)***

Dear Judge Failla:

We represent Plaintiffs in the above-referenced action. We write to inform the Court of Defendant Vincent S. Bonfittodrory's a/k/a "Sarid Drory" and Stephanie Schulman's failure to timely remit payment pursuant to the Court's orders and to request immediate relief. In this regard, according to the Stipulation and Order signed by the Court on November 28, 2017 (*see* ECF No. 150), Defendants were required to remit the following payments:

- (i) \$30,000.00 by July 31, 2018;
- (ii) \$5,000.00 by August 31, 2018;
- (iii) \$5,000.00 by September 30, 2018;
- (iv) \$5,000.00 by October 31, 2018; and
- (v) \$30,000.00 by December 31, 2018.

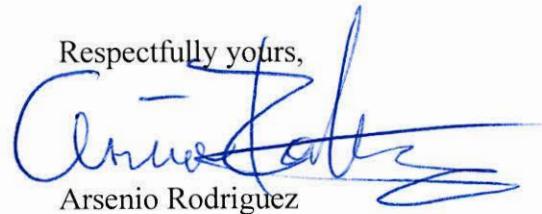
However, in July of 2018, counsel for Ms. Schulman informed Plaintiffs that they would not be able to make the July 31, 2018 payment, nor did they know if they could make any payments moving forward. Plaintiffs officially notified Defendant Drory and Ms. Schulman of their default on August 17, 2018.

After discussions with counsel for Ms. Schulman, the Parties verbally agreed to modify the payment plan described in the Stipulation and Order in order to provide Defendant Drory and Ms. Schulman an opportunity to continue making payments. This amendment was agreed to on September 12, 2018, and a draft of the amendment was delivered to counsel for Ms. Schulman on September 13, 2018. Payments were to resume on September 21, 2018. Nevertheless, to date, Defendant Drory and Ms. Schulman have failed to remit any payment since June 30, 2018. This includes the original July 31, 2018 payment, the original August 31, 2018 payment, and the newly amended September 21, 2018 payment. In addition, they have failed to execute the amendment. Furthermore, there has been no communication from counsel for Defendant Drory or Ms. Schulman for over two weeks.

As a result of the above, Plaintiffs believe Defendants are in default, and have again failed to comply with the Court's Orders. We request that Your Honor order Defendant Drory and Ms. Schulman to pay the outstanding settlement amount in full immediately, and any other relief Your

Honor shall deem just and proper.

We thank Your Honor for your time and attention to this matter.

Respectfully yours,

Arsenio Rodriguez

cc: Counsel of Record (via Electronic Mail & ECF)